

REMARKS

In order to expedite the prosecution of the present application, Claims 1 and 4 have been amended in order to more particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically speaking, Claim 1 now recites that the packaging material is suitable for use as a substrate for packaging bags or packaging containers employed in heat treatment or thermal sterilization processes. Claim 1 further recites that when the packaging material is subjected to stress acting in a direction perpendicular to the cutting line in the zone coated with the heat sealing agent, the cast film extends and expands in the direction of the stress and when the cast film is incapable of further extension and expansion, small holes form therein at both ends of the cutting line with each of the small holes being capable of elastically expanding and shrinking. Claim 4 recites that when the packaging material is subjected to stress acting in a direction perpendicular to the cutting line, the cast film extends and expands in the direction of the stress and forms an opening in a thermally insulating flexible sheet with the opening being capable of elastically expanding and shrinking. These embodiments are described in the present specification. No new matter has been added.

It is noted that the Examiner has indicated that the priority documents were not contained in the file wrapper. Enclosed herewith for the Examiner's benefit are new copies of the foreign priority documents. Favorable consideration is respectfully solicited.

Claims 1, 3 and 4 have been rejected under 35 USC 103(a) as being unpatentable over Toshima in view of Jaisle et al. Applicants respectfully traverse this ground of rejection and urge reconsideration in light of the following comments.

As explained previously, the packaging material of the present invention is suitable for use as a substrate for

packaging bags or containers employed for heat treatment of various foods, such as processed foods, or for thermal sterilization of medical instruments in, for example, a microwave oven. The packaging material of the present invention is capable of controlling the pressure changes within a packaging bag or container depending on the amount of steam generated from the contents contained in the bag or container. When a bag or container made of the claimed packaging material and the contents contained therein are heated in a microwave oven, the cast film having heat sealing properties softens and, if a sealing agent is applied, the sealing agent melts and liquefies. The cast film in the zone where the cutting line is formed with or without the low-melting sealing agent expands and extends in the direction of stress acting perpendicular to the cutting line as the pressure inside the bag or container increases. Since the laminate strength of the packaging material is high and extension and expansion are restrained, the cast film or thermally insulating sheet is partially cut and a small hole or local cleavage or opening is formed at the boundary. This small hole or cleavage adjusts the internal pressure inside of the container by elastically expanding or shrinking depending on the amount of steam generated during the heating of the bag or container.

In the present invention, the cast film can extend in both longitudinal and lateral directions when being heated and has desirable mechanical properties as a heat sealant constituting a laminate material. The cast film in combination with the formation of the cutting line and the use of a heat sealing agent is essential in the present invention when laminating the oriented film onto the cast film. Moreover, depending on the degree of heating, the use of the thermally insulating flexible sheet is desirable because it insulates the heat generated inside the packaging bag and the heated bag can be handled with bare hands, even immediately after heating, except for the zone around the vapor exit

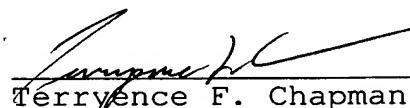
portion. The prior art cited by the Examiner does not disclose the presently claimed invention.

Toshima discloses a tape-sealed bag and method for producing the same. The bag is sealed with the tape adhered to any portion of a surface of the bag and is opened by taking an end of the tape with the fingers and pulling it. The bag of this reference is only open in the vicinity of a laterally fused area of the bag and the adhesive tape of this bag is prepared separately from the base film and is adhered to the bag to cover a slit. This reference has no disclosure with respect to the provision of small holes or an opening that forms in the bag as a result of a cast film extending and expanding due to stress and the small holes or opening being capable of elastically expanding and shrinking in order to control the pressure change within the bag or container formed from the packaging material. Moreover, Toshima has no disclosure with respect to the bag disclosed thereof being heated. Therefore, the secondary reference cited by the Examiner must provide the motivation to one of ordinary skill in the art to modify the Toshima reference in a manner that would yield the presently claimed invention. It is respectfully submitted that the secondary reference cited by the Examiner contains no such disclosure.

The Jaisle et al reference is directed to a flexible package for a product which has a resealable closure for resealing one portion of the package to an opposing portion of the package. This reference does not show the use of a cast film in combination with a cutting line provided therein or an oriented film laminated thereto or the use of a bag under a heating condition in which the pressure inside of the bag changes. This reference also contains no disclosure with respect to the use of a thermally insulating flexible sheet and, as such, Jaisle et al in combination with Toshima does not present a showing of *prima facie* obviousness with respect to the presently claimed invention.

The references cited by the Examiner do not disclose a packaging material having the presently claimed features. As such, it is respectfully submitted that the currently presented claims clearly define an invention that is patentable over the prior art cited by the Examiner. The Examiner is respectfully requested to reconsider the present application and to pass it to issue. Upon allowance of the pending claims, the Examiner has permission to cancel claims directed to the non-elected invention.

Respectfully submitted,



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